

STATE OF TEXAS

§

June 6, 2011

COUNTY OF GRAYSON

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BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on June 6, 2011.

MEMBERS PRESENT: MAYOR BILL MAGERS; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS SOFTLY, WACKER.

MEMBERS ABSENT: COUNCIL MEMBERS ADAMI, HOWETH, SMITH.

CALL TO ORDER

Mayor Magers called the meeting to order at 5:00 p.m. The Pledge of Allegiance and the Invocation were given by Mayor Bill Magers.

CALL TO ORDER

WELCOME TO INTERN

Mayor Magers welcomed Alex Clark, an intern that will be working this summer with Don Keene, Executive Director of Planning and Public Works. He will be working on special projects.

WELCOME TO
INTERN

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of May 16, 2011. Council Member Wacker moved to approve the Minutes as presented; Second by Council Member Softly. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5699 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT "NO PARKING" SIGNS RESTRICTING PARKING ALONG THE EAST AND WEST SIDES OF THE 600 BLOCK OF NORTH PORTER STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY.

ORD 5699
NO PARKING SIGNS
(N. PORTER STREET)

No citizens appeared before the City Council to discuss Ordinance 5699.

Mayor Magers introduced Ordinance 5700 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A MARRIOTT COURTYARD HOTEL IN A C-1 (RETAIL BUSINESS) DISTRICT / O-1 (75 & 82) OVERLAY DISTRICT AT 4344 LOY LAKE ROAD, BEING LOT 2, BLOCK 1, AMERISTATE PLAZA (AMERISTATE BANK,

ORD 5700
SUP FOR HOTEL
(4344 Loy Lake Rd)

OWNER; SHER-DEN HOSPITALITY, LLC, RAJ PATEL, PROSPECTIVE BUYER; RICHARD HUMISTON, ARCHITECT; AND DIRK THIBODAUX, GRAY ROCK CONSULTING, LANDSCAPE ARCHITECT); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

No citizens appeared before the City Council to discuss Ordinance 5700.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5699

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT “NO PARKING” SIGNS RESTRICTING PARKING ALONG THE EAST AND WEST SIDES OF THE 600 BLOCK OF NORTH PORTER STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY.

**ORD 5699
NO PARKING SIGNS
(N. PORTER STREET)**

Ordinance 5700

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A MARRIOTT COURTYARD HOTEL IN A C-1 (RETAIL BUSINESS) DISTRICT / O-1 (75 & 82) OVERLAY DISTRICT AT 4344 LOY LAKE ROAD, BEING LOT 2, BLOCK 1, AMERISTATE PLAZA (AMERISTATE BANK, OWNER; SHER-DEN HOSPITALITY, LLC, RAJ PATEL, PROSPECTIVE BUYER; RICHARD HUMISTON, ARCHITECT; AND DIRK THIBODAUX, GRAY ROCK CONSULTING, LANDSCAPE ARCHITECT); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

**ORD 5700
SUP FOR HOTEL
(4344 Loy Lake Rd)**

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Ordinance Nos. 5699 and 5700, as presented. Second by Council Member Softly.

VOTING AYE: Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Wacker moved to approve the Consent Agenda, as presented. Second by Council Member Softly. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5578 – AWARDING A BID TO AND

RES 5578

AUTHORIZING EXECUTION OF A CONTRACT WITH R.K. HALL CONSTRUCTION LTD. FOR THE TRAVIS STREET HMAC MILL AND OVERLAY PROJECT

TRAVIS STREET
MILL & OVERLAY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH R.K. HALL CONSTRUCTION LTD. FOR THE TRAVIS STREET HMAC MILL AND OVERLAY PROJECT.
CONSENT AGENDA.

RESOLUTION NO. 5579 – AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING THE PAYMENT OF TEN CENTS (\$0.10) PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY LLC

RES 5579
ONCOR STEERING
COMMITTEE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING THE PAYMENT OF TEN CENTS (\$0.10) PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY LLC.
CONSENT AGENDA.

OTHER BUSINESS

CONSIDER DECLARING A MORATORIUM ON BILLBOARDS IN THE CITY OF SHERMAN; CONSIDER THE APPOINTMENT OF AN ADVISORY COMMITTEE TO REVIEW THE BILLBOARD PROVISIONS OF THE GENERAL ZONING ORDINANCE

MORATORIUM ON
BILLBOARDS

Mayor Magers said he asked that an item be placed on the City Council Agenda to consider declaring a moratorium on billboards in Sherman.

He said he planned to appoint Deputy Mayor Willie Steele, Planning and Zoning Commission Chairman Lawrence Davis, and Planning and Zoning Commission Member David Plyler to a committee to review the current billboard ordinance. At the last Council Meeting there was an item concerning a billboard that could potentially be digital.

He felt there were valid points discussed and the current ordinance was originally designed for non-digitized billboards. He said he would like to have a report from the committee back to the City Council within 90 days. This 90 day deadline should also include presentation to the Planning and Zoning Commission.

Mayor Magers said Scott Shadden, Director of Development Services, indicated there was someone in the industry that he felt would be good to help the committee with the technical aspects of the issue. That person will be used as a reference for the committee.

COUNCIL MINUTES – JUNE 6, 2011

Deputy Mayor Steele asked if the study could be expanded to include all signs. Mayor Magers did not feel that the moratorium should apply to all signs. Deputy Mayor Steele agreed saying not to shut all signs down, but to study all signs.

George Olson, City Manager, clarified that the moratorium would only be on billboards, but the committee could study all signs if they wanted too.

Mayor Magers felt it was most important for the committee to focus on the billboards, but there are other aspects that they might want to review. He wanted to limit the moratorium to only include billboards.

Council Member Wacker said she would like to see billboards be the main focus at the present time. She said additional design issues might require a separate study.

Council Member Softly agreed that a moratorium and study on billboards was fine.

ACTION TAKEN.

Motion by Council Member Wacker to declare a moratorium on billboards in the City of Sherman until the proposed study is completed, with a target date of no longer than 90 days, as presented. Second by Council Member Softly.

VOTING AYE: Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

Mayor Magers reiterated that the committee appointed to study the issue would be Deputy Mayor Willie Steele, Planning and Zoning Commission Chairman Lawrence Davis, and Planning and Zoning Commission Member David Plyler. The committee will make recommendations to the Planning and Zoning Commission and the issue will then be presented to the City Council.

CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR TUESDAY, JULY 5, 2011, DUE TO CONFLICT WITH A FEDERAL HOLIDAY

Mayor Magers asked if there were any “pressing issues” scheduled for the first Council Meeting in July 2011. Mr. Olson said at the moment, there are no pressing issues scheduled for that meeting. Mr. Shadden also verified that there are no pressing Planning and Zoning items either.

Mayor Magers told the City Council they could cancel the meeting, reschedule the meeting with the understanding that if there is no pressing business the meeting will be canceled, or the meeting can be canceled and put back on the agenda if needed at a later date.

**SET CALLED
CITY COUNCIL
MEETING**

COUNCIL MINUTES – JUNE 6, 2011

Mayor Magers said he would be out of town and would not be able to attend the meeting. Council Member Wacker verified that the Planning and Zoning items would be on the second Council Meeting in July 2011.

Council Members canceled the meeting that would have been held on July 4, 2011.

CITIZENS REQUESTS

There were no citizens requests.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

HOT SUMMER NIGHTS

Council Member Wacker thanked the staff for a great opening to Hot Summer Nights.

HOT SUMMER NIGHTS

Council Member Softly agreed it was a great opening for Hot Summer Nights and told everyone to prepare for a long hot summer.

WASHINGTON STREET IMPROVEMENTS

Mayor Magers recognized Mr. Keene and the great job that he did on the Washington Street project. He urged everyone not to let the smooth street cause them to drive too fast.

AUSTIN COLLEGE IDEA CENTER

Mayor Magers congratulated Austin College on their IDEA Center. They recently broke ground on the \$28 million project. He said it had been many years in the making but would be great for the campus and for the citizens of Sherman.

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.074

PERSONNEL MATTERS
CONSIDER THE
QUALIFICATIONS, APPOINTMENT
AND REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
PLANNING AND ZONING
COMMISSION (3)

HOUSING AUTHORITY BOARD (2)

CIVIL SERVICE COMMISSION (2)

CITIZENS REQUESTS

MEDIA QUESTIONS

**HOT SUMMER
NIGHTS**

**HOT SUMMER
NIGHTS**

**WASHINGTON
STREET
IMPROVEMENTS**

**AUSTIN COLLEGE
IDEA CENTER**

EXECUTIVE SESSION

COUNCIL MINUTES – JUNE 6, 2011

Council Members decided that no Executive Session was needed to discuss the Board appointments.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO
BOARDS AND COMMISSIONS:

PLANNING AND ZONING COMMISSION (3)

HOUSING AUTHORITY BOARD (2)

CIVIL SERVICE COMMISSION (2)

ACTION TAKEN.

Motion by Council Member Wacker to reappoint Darren Tankersley to the Planning and Zoning Commission for a term from June 10, 2011 to June 10, 2014; to reappoint Barbara Williams and Beth Williams to the Housing Authority Board for a term from June 1, 2011 to June 1, 2013; and to reappoint James Lough and to appoint Keith Carlisle to the Civil Service Commission for a term from June 7, 2011 to June 7, 2014. Second by Council Member Softly.

VOTING AYE: Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:12 p.m.

PLANNING &
ZONING
COMMISSION
HOUSING AUTHORITY
BOARD
CIVIL SERVICE
COMMISSION

ADJOURNMENT

MAYOR

CITY CLERK